

AP

**Notice of Allowability**

Application No.

10/765,860

Examiner

Charlie Peng

Applicant(s)

TAKAMORI, TAKESHI

Art Unit

2883

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☒ The drawings filed on 29 January 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 10/765,860.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 01/29/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 20050724.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

CP

## DETAILED ACTION

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with N. Pederson on 25 July 2005.

In claim 1, lines 3-4, replace "a groove" with "a third groove";  
in claim 1, line 22, replace "said groove" with "said third groove";  
in claim 7, lines 3-4, replace "a groove" with "a third groove";  
in claim 7, line 17, replace "said groove" with "said third groove";  
in claim 13, lines 3-4, replace "a groove" with "a third groove";  
in claim 13, line 23-24, replace "said groove" with "said third groove".

### *Reasons for Allowance*

The following is an examiner's statement of reasons for allowance:

Claim 1, 7, and 13 are allowed. The applicant claims an optical module having a substrate with grooves, an optical fiber, one or more lens elements, a light emitting element, one or more wavelength branching filters, and a light receiving element. U.S. Patent 6,904,190 to Korenaga et al. teaches an optical package substrate **81** having a

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first groove **83a** and a second groove **83b** of identical structure and a slit groove **89** formed thereon; a laser (light emitting element) **86**; a first lens **85b**, set in the first groove, through which light exiting the laser **86** is converted into collimated light; an optical fiber **84** placed having one end adjacent to a second lens **85a** placed in the first groove **83a**; light is converged through the first lens **85b** and coupled into the optical fiber **84**; an flat isolator **88**, which may be replaced by an optical filter set in the slit groove **89** within an optical path between the laser **86** and the optical fiber **84**. (See at least Fig. 8 and its description.) The optical package can be used in combination with a photo-diode **129** in another aspect of the invention by Korenaga. However, Korenaga et al. do not teach "the optical paths" of the instant application and how the optical filter is utilized in directing such optical paths. Claims 1, 7, and 13 are allowed because the prior art of record, taken alone or in combination, fails to disclose or render obvious a light receiving element that receives light of a wavelength, which is emitted from an optical fiber and enters via a wavelength branching filter, in combination with the rest of the limitations of the base claim. Claims 2-6, 8-12, and 14-18 depend on claims 1, 7, and 13 and therefore they are also allowed.

*FMT*  
*7-25-05* *these claimed optical paths in combination with*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Citation of Relevant Prior Art***

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In accordance with MPEP 707.05 the following references are pertinent in rejection of this application since they provide substantially the same information disclosure as this patent does. These references are:

U.S. Patent 6,839,474 to Steinberg et al.;

U.S. PGPub 2004/0264866 to Sherrer et al.;

U.S. PGPub 20014/0026660 to Asakura et al.

These references are cited herein to show the relevance of the apparatus taught within these references as prior art. See form PTO-892 for additional references cited.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlie Peng whose telephone number is (571) 272-2177. The examiner can normally be reached on 9 am - 6 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charlie Peng  
Charlie.Peng@uspto.gov  
cyp 07/25/2005

A handwritten signature in black ink, appearing to read "Frank L. Font", with a stylized flourish at the end.

Frank Font  
Supervisory Patent Examiner  
Technology Center 2800